IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 14941 of 2007(D)

PETITIONER:

CHRISTOPHER LOPEZ,
MANAGER, ST.AUGUSTINE'S H.S.,
MURUKKUMPUZHA,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)

RESPONDENTS:

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1. THE DEPUTY DIRECTOR OF EDUCATION,
THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER,
THIRUVANANTHAPURAM.

*R3. THE SECRETARY TO GOVT.
GENERAL EDUCATION DEPT.
SECRETARIAT,
THIRUVANANTHAPURAM.

ADDL. RESPONDENT NO.3 IS IMPLEADED AS PER ORDER DT. 26.6.07 IN IA NO.8485/07

BY GOVT. PLEADER SRI. T.T. MUHAMMED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 14941/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE ORDER NO.B2/8266/01 D.Dis. DT. 16.8.02 OF THE 2ND RESPONDENT

EXT.P2. COPY OF THE ORDER NO. C7-33476/02 (A.48) DT. 28.2.03 OF THE 1ST RESPONDENT

EXT.P3. COPY OF THE ORDER NO. M-7011/07 DT. 3.2007 OF THE 1ST RESPONDENT

EXT.P4. COPY OF THE SALE DEED NO.91 DT. 10.4.03 REGISTERED WITH THE SUB REGISTRY OFFICE, MURUKKUMPUZHA

EXT.P5. COPY OF THE LETTER NO. B1-4484/2004 DT. 20.10.05 FROM THE 1ST RESPONDENT TO THE PETITIONER

EXT.P6. COPY OF THE LETTER NO.269/M/2006 DT. 28.11.06 OF THE PETITIONER TO THE 2ND RESPONDENT

EXT.P7. COPY OF THE ORDER NO.B3-602/07 DT. 17.4.07 ISSUED BY 1ST RESPONDENT

EXT.P8. COPY OF THE APPLICATION FOR NUMBERING THE BUILDING

EXT.P9. COPY OF THE APPEAL

EXT.P10. COPY OF THE ACKNOWLEDGEMENT RECEIVED THE APPEAL

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 14941 OF 2007

Dated this the 26th day of June, 2007

J U D G M E N T

Petitioner is stated to be the Manager of St. Augustine's High School, Murukkumpuzha in Trivandrum District. He has preferred this writ petition challenging Ext.P7 order passed by the Deputy Director of Education. By the impugned order, the Deputy Director had directed the District Educational Officer, Trivandrum, to discharge normal duties of Manager in the school till the educational agency appointed a suitable person.

2 When this writ petition came up for further consideration today, learned counsel submits that the petitioner has preferred Ext.P9 petition as contemplated under sub rule 2 of Rule 15 A of Chapter IV KER seeking review of the impugned order. He further submits that petitioner will be satisfied if an appropriate direction direction is issued to additional respondent No.3 to take a decision on Ext.P9 expeditiously. Learned Government Pleader submits that a proper decision on Ext.P9 will be taken without any delay.

In the above facts and circumstances, the writ petition is disposed of with a direction to additional respondent No.3 to consider and pass orders on Ext.P9 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment. It will be open to the petitioner to move the Government for appropriate interim orders pending the review petition. Needless to mention that additional respondent No.3 shall afford sufficient opportunity to the petitioner and all other parties concerned to be heard, before any decision is taken in the matter.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007